

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:08-CR-81-D-1

UNITED STATES OF AMERICA

v.

KIMBERLY WHITE,

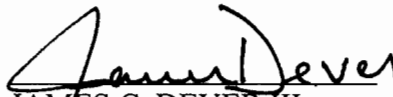
Defendant.

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ORDER

On July 22, 2008, this court held a hearing to determine the competency of defendant Kimberly White to stand trial under 18 U.S.C. § 4241. For the reasons stated in open court, the court finds by a preponderance of the evidence that defendant is presently suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense. See 18 U.S.C. § 4241(d). Defendant shall be committed to the custody and care of the Attorney General for treatment in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future she will attain the capacity to permit the proceedings to go forward. See 18 U.S.C. § 4241(d)(1). The court will grant an extension for an additional reasonable period of hospitalization only upon party motion stating good cause. If, at the end of the time period, it is determined that defendant's medical condition has not so improved as to permit proceedings to go forward, the court will proceed under 18 U.S.C. § 4246.

SO ORDERED. This ~~11~~ day of July 2008.


JAMES C. DEVER III
United States District Judge